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# Exhibit 2

# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA FLORENCE DIVISION

ALEXIS DEGIDIO, on behalf of herself and all others similarly situated,	) ) )
	Civil Action No.: 4:13-cv-02136
Plaintiff,	)
	) Judge Bruce Howe Hendricks
v.	)
	)
CRAZY HORSE SALOOON AND	)
RESTAURANT, INC. d/b/a THEE NEW	)
DOLLHOUSE,	)
	)
Defendant.	)

#### **NOTICE OF PENDENCY OF LAWSUIT**

TO: ALL PRESENT AND FORMER ENTERTAINERS WHO WORKED FOR CRAZY HORSE SALOON AND RESTAURANT, INC., d/b/a "THEE NEW DOLLHOUSE" OR "THEE DOLLHOUSE" FROM MARCH 1, 2012 TO THE PRESENT

RE: FAIR LABOR STANDARDS ACT LAWSUIT FILED AGAINST CRAZY HORSE SALOON AND RESTAURANT, INC., d/b/a "THEE NEW DOLLHOUSE" OR "THEE DOLLHOUSE"

The purpose of this Notice is to inform you of a collective action lawsuit in which you are potentially "similarly situated" to the Named Plaintiff Alexis DeGidio, to advise you of how your rights may be affected by this action, and to inform you of the procedure to make a claim if you choose to do so.

#### **DESCRIPTION OF THE ACTION**

On August 8, 2013 an action was filed against Defendant Crazy Horse Saloon and Restaurant, Inc., d/b/a Thee New Dollhouse or Thee Dollhouse ("Defendant") on behalf of Named Plaintiff Alexis DeGidio and all other similarly situated individuals who worked as entertainers for Defendant since March 1, 2012. Specifically, the action alleges that these individuals were misclassified as independent contractors, required to pay fees to work, and not paid wages in violation of the Fair Labor Standards Act ("FLSA").

The lawsuit alleges that these individuals are owed a full refund of all "house fees" and other employment-associated fees paid to the Defendant. The action also alleges that, in addition, these individuals are entitled to be paid the minimum wage for all hours they worked as entertainers, and premium overtime compensation for all hours worked in excess of forty (40) per workweek. Plaintiff also seeks an additional equal amount as liquidated damages, as well as attorneys' fees and costs. This litigation is currently in progress.

Defendant denies Plaintiff's allegations and maintains that Plaintiff and the potentially similarly situated group were properly classified as independent contractors and do not have claims under the FLSA.

#### PERSONS ELIGIBLE TO RECEIVE THIS NOTICE

The United States District Court for the District of South Carolina has ordered this FLSA Notice be distributed to:

all persons who work or have worked for Defendant Crazy Horse Saloon and Restaurant, Inc., d/b/a Thee New Dollhouse or Thee Dollhouse as entertainers at its location at 3001 Highway 17 South, North Myrtle Beach, South Carolina at any time from March 1, 2012 to the present.

#### YOUR RIGHT TO PARTICIPATE IN THIS LAWSUIT

If you fit the definition above, you may choose to join this lawsuit by mailing, emailing or faxing the attached "Plaintiff Consent Form" to Plaintiff's Counsel, listed below, for filing with the Court:

Carlson Lynch Sweet & Kilpela, LLP Attn: Gary F. Lynch 115 Federal Street, Suite 210 Pittsburgh, PA 15212 Telephone: (412) 322-9243

Fax: (412) 231-0246

Email: glynch@carlsonlynch.com

The Plaintiff Consent Form must be received by Plaintiff's Counsel in sufficient time for Plaintiff's counsel to file it with the Court on or before [DATE TO BE DETERMINED BY COURT].

#### EFFECT OF JOINING OR NOT JOINING THIS LAWSUIT

If you choose to join this lawsuit, you and Defendant will be bound by any ruling, judgment or settlement, whether favorable or unfavorable. If do not join this lawsuit, you are free to take action on your own or do nothing at all.

If you file a "Plaintiff Consent Form," your continued right to participate in this lawsuit may depend upon a later decision by the Court that you and the Named Plaintiff are "similarly situated" in accordance with applicable laws and that it is appropriate for this case to proceed as a collective action lawsuit.

#### STATUTE OF LIMITATIONS

The FLSA has a maximum statute of limitations of two (2) or potentially three (3) years. If you choose to join this lawsuit, you may be able to recover money damages if you were improperly required to pay fees in order to work and/or were denied the minimum wage or overtime wages for time you worked within two (2) years, and in some cases within three (3) years, of the date you file your Plaintiff Consent Form. If you choose not to join in this lawsuit or file your own action, some or all of your potential claims may later be barred by the applicable statute of limitations.

### **NO RETALIATION PERMITTED**

The law prohibits retaliation against employees for exercising their rights under the FLSA. Therefore, Defendant is prohibited from firing you or retaliating against you in any other manner because you choose to participate in this lawsuit.

#### YOUR LEGAL REPRESENTATION IF YOU JOIN

If you choose to participate in this lawsuit by filing the attached Plaintiff Consent Form, your interests will be represented by Plaintiff's Counsel:

Gary F. Lynch Carlson Lynch Sweet & Kilpela, LLP 115 Federal Street, Suite 210 Pittsburgh, PA 15212 Telephone: (412) 322-9243

Fax: (412) 231-0246

Email: glynch@carlsonlynch.com

The attorneys are being paid on a contingency fee and/or statutory basis, which means that if there is no recovery, there will be no attorneys' fees. If there is a recovery, the attorneys will receive a part of any settlement obtained or money judgment entered in favor of all members of the class. The specific terms and conditions of representation will be contained in a fee agreement entered into by the attorneys and you.

## **FURTHER INFORMATION**

Further information about this lawsuit or this notice can be obtained by contacting Plaintiff's counsel at the address or telephone number provided above. Please do not contact the court.

#### **CONCLUSION**

THIS NOTICE AND ITS CONTENT HAS BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA, THE HONORABLE JUDGE BRUCE HOWE HENDRICKS

The Honorable Bruce Howe Hendricks
United States District Court Judge
District of South Carolina

#### **CONSENT FORM**

- 1. I hereby consent to join the lawsuit brought under the Fair Labor Standards Act, 29 U.S.C. §§ 201, *et seq.*, to recover compensation I am owed by my current/former employer, Crazy Horse Saloon and Restaurant, Inc., d/b/a Thee New Dollhouse or Thee Dollhouse.
- 2. Since March 1, 2012, I worked as an entertainer at Crazy Horse Saloon and Restaurant Inc., d/b/a Thee New Dollhouse or Thee Dollhouse, located at 3001 Highway 17 South, North Myrtle Beach, South Carolina. I did not receive an hourly wage or overtime compensation, and I was required to pay fees when I worked.
- 3. I hereby designate the law firm of Carlson Lynch Sweet & Kilpela, LLP to represent me in this action.
- 4. If this case does not proceed collectively, then I also consent to join any subsequent action to assert these claims against Crazy Horse Saloon and Restaurant Inc., d/b/a Thee New Dollhouse or Thee Dollhouse

Date:		
	Signature	
	Print Name	

# No Information Included Below Will be Filed With the Court PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION:

Name:		
(First)	(Middle)	(Last)
Street Address:		
City, State, Zip Code:		
Home Phone:	Work Phone:	Cell Phone:
Email:		
Social Security Number:	OR Date of B	irth:
Dates You Worked as a Danc	er/Entertainer at Thee Dollhouse/Th	ee New Dollhouse:
Start	End: (leave blank if presently working there)	
Fax or Mail to: Carlson Lync	h Sweet & Kilpela, LLP - Attn: Gar	v F. Lynch
•	treet, Suite 210	<i>j j</i>

Pittsburgh, PA 15212

Phone: (412) 322-9243 Fax: (412) 231-0246